

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 10, 2004. Claims 1-20 were pending in the Application. In the Office Action, Claims 1-20 were rejected. In order to expedite and advance the prosecution of the present Application, Applicant amends claims 2, 8 and 15. Thus, claims 1-20 remain pending in the Application.

In the Office Action, the following actions were taken or matters were raised:

DRAWING OBJECTIONS

The Examiner objected to the drawings because the Examiner asserts that the reference characters in figures 1 and 3 are not labeled in a descriptive matter (in particular, reference characters 32, 34, 301-305 and 310-330). Applicant respectfully disagrees. However, in order to advance and expedite the prosecution of the present Application, Applicant amends figures 1 and 3 to illustrate labels associated with reference characters 32, 34, 301-305 and 310-333. With the amendment to figure 3, new sheet 2 of the drawings is provided. Thus, amended figure 1 remains on sheet 1 of the drawings, and originally-filed figure 3 has been removed from sheet 1 of the drawings and replaced by amended figure 3 as contained on new sheet 2 of the drawings. A replacement sheet 1 and new sheet 2 of the drawings are attached hereto in Appendix A. Applicant respectfully submits that no new matter is presented in the amended figures 1 and 3. Applicants respectfully request that this objection now be withdrawn.

CLAIM OBJECTIONS

The Examiner objected to claims 2, 8 and 15 because of the use of the acronyms "VOB" and "UDF." Applicant has amended claims 2, 8 and 15 to define such acronyms as suggested by the Examiner. Favorable action is respectfully requested.

SECTION 102 REJECTIONS

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,137,544 issued to Dimitrova et al. (hereinafter "*Dimitrova*"). Applicant respectfully traverses this rejection.

To anticipate a claim, each and every limitation must be found in a reference. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP § 2131.

Of claims 1-20, claims 1, 7 and 14 are independent. Applicant respectfully submits that *Dimitrova* does not disclose or even suggest each and every limitation of independent claim 1, 7 and 14. For example, independent claim 1 recites "storing the formatted scene candidates on the optical storage media in a media structure without reducing the recordable capacity [of the optical storage media]." The Examiner refers to column 3, lines 34-38, of *Dimitrova* (reciting "creating visual index while recording a tape") as disclosing the above-referenced limitation (Office Action, page 4). Applicant respectfully disagrees. *Dimitrova* discloses that a "visual index may be created on a pre-existing tape (or file, DVD, disks, etc.) or while recording on a new tape" (*Dimitrova*, column 2, lines 36-38). *Dimitrova* also discloses that "[i]n video indexing . . . from a video CD, DVD, or other storage device, or from a broadcast stream, the index may be stored on a hard disk, or other storage medium" (*Dimitrova*, column 2, lines 66-67, column 3, lines 1-4). However, *Dimitrova* does not disclose or even suggest "storing the formatted scene candidates on the optical storage media in a media structure without reducing the recordable capacity" of the optical storage media as recited by independent claim 1 (emphasis added), nor has the Examiner identified any such disclosure in *Dimitrova*. Regarding column 3, lines 34-38, of *Dimitrova* referenced by the Examiner, the cited passage of *Dimitrova* apparently discloses that the creation of a visual index on a tape may be performed as the video is being recorded. Accordingly, the passage of *Dimitrova* cited by the Examiner does not disclose or even suggest the limitations of independent claim 1. To the contrary, *Dimitrova* is silent as to any process or feature of the

index of *Dimitrova*, including, but not limited to, how the index of *Dimitrova* is created on a medium or where on the medium the index of *Dimitrova* is created. Therefore, for at least this reason, *Dimitrova* does not anticipate independent claim 1.

Independent claim 7 recites “a media storage system operable to store the formatted scene candidates on the optical storage medium in a media structure without reducing the recordable capacity [of the optical storage medium].” Additionally, independent claim 14 recites logic operable to “cause the formatted scene candidates to be stored on the optical storage medium without reducing the recordable capacity [of the optical storage medium]. Thus, for at least the reasons discussed above in connection with independent claim 1, *Dimitrova* does not disclose or even suggest each and every limitation of either claim 7 or 14 and, therefore, *Dimitrova* does not anticipate independent claims 7 and 14.

Claims 2-6, 8-13 and 15-20 that depend from respective independent Claims 1, 7 and 14 are also not anticipated by *Dimitrova* because they incorporate the limitations of respective Claims 1, 7 and 14 and add additional elements that further distinguish *Dimitrova*. Therefore, Applicant respectfully requests that the rejection of Claims 2-6, 8-13 and 15-20 be withdrawn.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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